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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,093	08/04/2003	Naomasa Takahashi	09812.0348-00000	5881
22852	7590	06/01/2009		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER BECKER, SHASHI KAMALA	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 06/01/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/634,093

Applicant(s)

TAKAHASHI, NAOMASA

Examiner

Shashi K. Becker

Art Unit

2179

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 May 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Weilun Lo/
Supervisory Patent Examiner, Art Unit 2179

Continuation of 11, does NOT place the application in condition for allowance because:

Applicant argues that Mizutome does not teach a first constitutive element selection area, and a second constitutive element selection area, wherein the first constitutive element selection area and the second constitutive element selection area are not displayed within the selected screen layout.

Examiner disagrees. Mizutome does teach a first constitutive element selection area (Fig. 20, wherein the first area is the submenu area of window 1 and the first element is the selected item from the submenu), and a second constitutive element selection area (Fig. 20, wherein the second area is the submenu area of window 2 and the second element is the selected item from the submenu), wherein the first constitutive element selection area and the second constitutive element selection area are not displayed within the selected screen layout (Fig. 20, wherein the selection areas in figure 20 are menu displays not within the selected screen layout). The first and second constitutive element selection areas are both displayed on a different display page than the selected screen layout (Figure 19, the layout of the screen selected by the user, "the selected screen layout" which is different than Figure 20, where there are menu areas for selecting types of media to be shown on different windows) and are therefore not within the selected screen layout. Furthermore, Mizutome then meets the claim limitations 1, 4, 6, and 9.

Applicant argues that Mizutome does not teach, "generation means," "second selection means," and "second constitutive element selection area."

Examiner disagrees. Mizutome does teach a "generation means (Figure 1 and page 2 paragraph [0056])", "second selection means (Figure 20 a second element selected from window 2 submenu being a "second selection means))", and "second constitutive element selection area (Fig. 20, wherein the second area is the submenu area of window 2 and the second element is the selected item from the submenu). Applicant argues that Mizutome does not teach "the second constitutive element selection area displays more than one source of information."

Examiner disagrees. Mizutome does teach "the second constitutive element selection area displays more than one source of information (Fig. 20, wherein the second area is the submenu area of window 2 and the second element is the selected item from the submenu, wherein the submenu itself is the second selection area that displays more than once source of information to choose from, (i.e. TV, email, internet (all being different sources of information)).

In conclusion the examiner wishes to point out that the "Plurality of screen layout options" is found in reference Mizutome Figure 19, wherein the user can select out a plurality of screen layout options what display the user wants to see. Furthermore, the "selected screen layout" is the selected screen layout out of the many options on Figure 19, that the user actually selects. This selection of a "selected screen layout" is very different and not within the selected screen layout of Figure 20. Figure 20 is a different display that deals with menus to set up information that is associated with the selected screen layout, but is not "within" the selected screen layout because Figure 20 is displayed on an entirely different display page. Therefore, Mizutome meets the claim limitations of 1, 4-6 and 9.